

March 19, 1979

LB 137

Military and Veterans Affairs Committee.

SPEAKER MARVEL: Senator Keyes, the amendments to LB 137.

SENATOR KEYES: Mr. Speaker, I move we adopt the amendments to LB 137 and that seems to be something that I think....I think Senator Duis can probably explain it a little bit better than I can but there seems to be some kind of a ruling that the court can't use testimony and this happened in the Gretna School District. Senator Duis, do you want to explain it?

SPEAKER MARVEL: The Chair recognizes Senator Duis.

SENATOR DUIS: Did you want to take your committee amendment or...

SENATOR KEYES: Yes, I move we adopt the committee amendments.

SPEAKER MARVEL: Okay, the motion is the adoption of the committee amendments. All those in favor of adopting the committee amendments to LB 137 vote aye, opposed no. We are voting on the Government, Military Affairs Committee amendments to LB 137. The motion is the adoption of the committee amendments to LB 137. Have you all voted? Record.

CLERK: 26 ayes, 0 nays on the adoption of the committee amendments.

SPEAKER MARVEL: The motion is carried and the amendment is adopted. Now, Senator Duis, what do we do with the bill?

SENATOR DUIS: Mr. President, I move the advancement of LB 137. LB 137 was the outcome of a Supreme Court case in the Gretna Public School District against the State Board of Education. They ruled that the statutes as now written provided no right of appeal from a declaratory judgment ruling made by an agency. Now we did visit with the Education Department and they are in favor of this legislation because they also feel that there should be a right of appeal from the rulings of an agency, and if anyone else would like any more explanation of the bill, I will certainly go into it further in detail but I don't want to delay us any longer than is necessary.

SPEAKER MARVEL: Motion is the advancement of LB 137 to E & R for review. All those in favor vote aye, opposed